

COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION
AT RICHMOND, OCTOBER 4, 2012

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APPLICATION OF

24/7 MID-ATLANTIC NETWORK OF VIRGINIA, LLC

CASE NO. PUC-2012-00030

For certificates of public convenience
and necessity to provide local exchange and
interexchange telecommunications services

FINAL ORDER

On June 1, 2012, 24/7 Mid-Atlantic Network of Virginia, LLC ("24/7 Mid-Atlantic" or "Company"), completed an application with the State Corporation Commission ("Commission") for certificates of public convenience and necessity ("certificates") to provide local exchange and interexchange telecommunications services throughout the Commonwealth of Virginia ("Application"). The Company also requested authority to price its interexchange telecommunications services on a competitive basis pursuant to § 56-481.1 of the Code of Virginia ("Code"). In accordance with 5 VAC 5-20-170 of the Commission's Rules of Practice and Procedure, 24/7 Mid-Atlantic filed a Motion for Protective Order ("Motion") to cover information in the Application that the Company asserted should be treated as confidential.

By Order for Notice and Comment dated June 20, 2012 ("June 20 Order"), the Commission directed the Company to provide notice to the public of its Application and directed the Staff of the Commission ("Staff") to conduct an investigation and file a Staff Report. The Commission also stated that it would hold 24/7 Mid-Atlantic's Motion in abeyance until a party sought access to the information that the Company designated as confidential. On August 2, 2012, the Commission entered an Order Extending Procedural Schedule, which (i) granted a request from the Company for additional time to submit its required bond; (ii) and extended the

procedural schedule for this proceeding. On August 15, 2012, 24/7 Mid-Atlantic filed proof of publication and proof of service, respectively, as required by the June 20 Order. On September 13, 2012, the Commission issued an Order Further Extending Procedural Schedule granting 24/7 Mid-Atlantic's second request for additional time to submit the required bond to the Division of Communications.

On September 21, 2012, the Staff filed its Staff Report finding that 24/7 Mid-Atlantic's Application was in compliance with the Rules Governing the Certification and Regulation of Competitive Local Exchange Carriers, 20 VAC 5-417-10 *et seq.*, and the Rules Governing the Certification of Interexchange Carriers, 20 VAC 5-411-10 *et seq.* Based upon its review of 24/7 Mid-Atlantic's Application, the Staff determined it would be appropriate to grant the Company certificates to provide local exchange and interexchange telecommunications services subject to the following condition: 24/7 Mid-Atlantic should notify the Division of Communications no less than thirty (30) days prior to the cancellation or lapse of its bond and should provide a replacement bond at that time. This requirement should be maintained until such time as the Commission determines it is no longer necessary.

On September 26, 2012, 24/7 Mid-Atlantic filed a letter waiving the allotted time to file a response to the Staff Report and requesting that the Commission issue an order approving the Application.

NOW THE COMMISSION, having considered the Application and the Staff Report, finds that the Company should be granted certificates to provide local exchange and interexchange telecommunications services. Having considered § 56-481.1 of the Code, the Commission further finds that the Company may price its interexchange telecommunications

services competitively. The Commission also finds that 24/7 Mid-Atlantic's Motion is no longer necessary; therefore, the Motion should be denied.¹

Accordingly, IT IS ORDERED THAT:

(1) 24/7 Mid-Atlantic Network of Virginia, LLC, is hereby granted a certificate of public convenience and necessity, No. T-721, to provide local exchange telecommunications services subject to the restrictions set forth in the Rules Governing the Certification and Regulation of Competitive Local Exchange Carriers, § 56-265.4:4 of the Code of Virginia, and the provisions of this Order.

(2) 24/7 Mid-Atlantic Network of Virginia, LLC, is hereby granted a certificate of public convenience and necessity, No. TT-270A, to provide interexchange telecommunications services subject to the restrictions set forth in the Commission's Rules Governing the Certification of Interexchange Carriers, § 56-265.4:4 of the Code of Virginia, and the provisions of this Order.

(3) Pursuant to § 56-481.1 of the Code of Virginia, the Company may price its interexchange telecommunications services competitively.

(4) Prior to providing telecommunications services under the certificates granted by this Order, 24/7 Mid-Atlantic Network of Virginia, LLC, shall provide to the Division of Communications tariffs that conform to all applicable Commission rules and regulations or written notification pursuant to Rule 20 VAC 5-417-50 A 2 if the Company elects to provide retail services on a non-tariffed basis.

(5) 24/7 Mid-Atlantic Network of Virginia, LLC, shall notify the Division of Communications no less than thirty (30) days prior to the cancellation or lapse of its bond and

¹ The Commission has received no request for leave to review the information that the Company designated confidential. Accordingly, we deny the Motion as moot but direct the Clerk of the Commission to retain the confidential information, to which the Motion pertains, under seal.

shall provide a replacement bond at that time. This requirement shall be maintained until such time as the Commission determines it is no longer necessary.

(5) The Company's Motion for Protective Order is hereby denied; however, we direct the Clerk of the Commission to retain the confidential information, to which the Motion pertains, under seal.

(6) There being nothing further to come before the Commission, this case shall be dismissed and the papers filed herein placed in the file for ended causes.

AN ATTESTED COPY hereof shall be sent by the Clerk of the Commission to:
Brian McDermott, Esquire, and Edward S. Quill, Jr., Esquire, Strategies Law Group, PLLC, 1002 Parker Street, Falls Church, Virginia 22046; and C. Meade Browder, Jr., Senior Assistant Attorney General, Division of Consumer Counsel, Office of the Attorney General, 900 East Main Street, Second Floor, Richmond, Virginia 23219. A copy shall be delivered to the Commission's Office of General Counsel and Divisions of Communications and Public Service Taxation.